

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Nov 14, 2019**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

VERNE JAY MERRELL,  
CHARLES HARRISON BARBEE, and  
ROBERT SHERMAN BERRY

Defendants.

Nos. 2:96-CR-0257-WFN-1  
2:96-CR-0258-WFN-1  
2:96-CR-0259-WFN-1

ORDER DISMISSING  
COUNTS 3S AND 7S

Based on the Government's Response to the Court's Order to Show Cause it appears that the Government agrees that the counts predicated on violation of 18 U.S.C. § 844(i) should be dismissed. Accordingly,

**IT IS ORDERED** that Counts 3S and 7S are **DISMISSED WITHOUT PREJUDICE** as to each of the above-named Defendants.

The District Court Executive is directed to file this Order and provide copies to counsel.

**DATED** this 14th day of November, 2019.



WM. FREMMING NIELSEN  
SENIOR UNITED STATES DISTRICT JUDGE

11-12-19

ORDER